



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/241,636	02/02/1999	ELLEN M. HEATH	2902162-015000	8977
84331 7590 07/23/2009 Baker Donelson Bearman, Caldwell & Berkowitz, PC 555 Eleventh Street, NW, Sixth Floor Washington, DC 20004				
EXAMINER				
GOLDBERG, JEANINE ANNE				
ART UNIT		PAPER NUMBER		
1634				
MAIL DATE		DELIVERY MODE		
07/23/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

**Application No.**

09/241,636

**Applicant(s)**

HEATH ET AL.

**Examiner**

JEANINE A. GOLDBERG

**Art Unit**

1634

All participants (applicant, applicant's representative, PTO personnel):

(1) JEANINE A. GOLDBERG.(3) Dr. Dirk Loeffert.(2) Susan McBe.(4) Dr. Nicole Uschkarath.

Date of Interview: 7/20/09.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 63.

Identification of prior art discussed: Deggerdal, Shieh, Harvey and Rudi.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The amendment filed 7/17/09 was discussed. The examiner noted the use of consists and consist essentially of. The use of consists essentially of is broadly interpreted as comprising. Dr. Dirk Loeffert explained it was unexpected that a RNA digesting enzyme and a detergent would be expected to be compatible in the same lysing reagent. The examiner encouraged applicant to file a declaration providing objective reasons supporting the position.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Jeanine A. Goldberg/  
Primary Examiner, Art Unit 1634